IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITINO NO.899 OF 2006

Jagdish Prabhakar Babar ...Petitioner.
Versus
The State of Maharashtra
and Ors. ...Respondents.

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Mr.N.N.Gawankar, with Mr.Arfan Sait, Advocates for the Petitioner.
Mrs.A.S.Pai, APP, for the State.

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CORAM : D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI, JJ.
DATED : APRIL 20, 2006.

P.C.:

. Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner had preferred an application for furlough, which came to be rejected on the ground that when the petitioner was earlier released from jail, he did not report back in time.

3. It is an admitted fact that on the last occasion when the petitioner was released from jail, the petitioner had overstayed for one day. However, after one day, he immediately reported back to the jail. On the said occasion, the

petitioner was released on parole. The only ground on which the application for furlough came to be rejected was that the petitioner did not report back in time.

4. We are of the opinion that though the petitioner did not report back in time on the last occasion when he was released from jail, it is an admitted fact that the petitioner surrendered himself to the jail authorities and the delay was of only one day. In this view of the matter, we are inclined to grant furlough.

5. The petitioner be released on furlough on the usual terms and conditions, in addition thereto, the petitioner shall report on every alternate day to the nearest police station to the address at which he will be residing during the period that he is on furlough.

6. Rule is made absolute in above terms.

(D.G.DESHPANDE, J.)

(SMT.V.K.TAHILRAMANI,J.)